

EMERGENCY

City of Cincinnati

An Ordinance No. 121

KMG

AWB

- 2021

**DESIGNATING** the Housing Advisory Board to (i) establish the City's affordable housing policy priorities, including with respect to the Affordable Housing Trust Fund and related capital improvement program project accounts and (ii) advise the City's third-party administrator of the affordable housing loan pool of such priorities; and further **MODIFYING** Section 209-7 of the Cincinnati Municipal Code to clarify that the role of the Housing Advisory Board includes establishment of the City of Cincinnati's affordable housing policy priorities.

WHEREAS, Ohio Revised Code Chapter 176, as codified in Chapter 209 of the Cincinnati Municipal Code, establishes the City's Housing Advisory Board; and

WHEREAS, under state and local law, the Housing Advisory Board is intended, among other purposes, to review and advise upon comprehensive plans for the preservation and development of affordable housing in the City; and

WHEREAS, pursuant to state and local law, the Housing Advisory Board consists of representation from specified groups such as (i) institutions that lend money for housing, (ii) for-profit and non-profit builders and developers of housing (including rental housing), (iii) real estate brokers, (iv) persons with professional knowledge regarding local housing needs and fair housing issues within the City, (v) residents of the City that could receive housing assistance from the City, (vi) the Cincinnati Metropolitan Housing Authority, (vii) elected officials of the City, and (viii) additional groups and individuals that are necessary to provide balanced advice on housing plans and programs, each of whom have unique expertise in developing affordable housing strategies; and

WHEREAS, the City is undertaking the study of existing market conditions impacting the supply of affordable housing in the City of Cincinnati and requires the expertise of those that would serve on the Housing Advisory Board to aid in the establishment of the City's affordable housing policy priorities; and

WHEREAS, pursuant to an ordinance passed by City Council on or about the date of this ordinance, the City is establishing an affordable housing loan pool and is designating a third-party to administer such loan pool (the "Affordable Housing Loan Pool Administrator"); and

WHEREAS, Ordinance No. 364-2018, passed December 12, 2018, (i) established a new special revenue fund, Fund 439, "Affordable Housing Trust Fund," (the "Affordable Housing Trust Fund") for the purpose of receiving and disbursing funds to preserve and develop affordable housing and prevent homelessness in the City of Cincinnati, and to fund any of the City of Cincinnati's administrative costs associated therewith, and (ii) contemplated the designation of an advisory board by a separate ordinance; and

WHEREAS, Ordinance No. 66-2019, passed February 21, 2019, authorized the Finance Director to accept and deposit donations from private individuals and entities in the community into the Affordable Housing Trust Fund; and

WHEREAS, Ordinance No. 76-2019, passed March 6, 2019, established a new capital improvement program project account no. 980x162x191624, "Affordable Housing," for the purpose of providing resources for the preservation and development of affordable housing and to prevent homelessness in the City of Cincinnati by funding renovation or new construction of permanent improvements, which may include hard construction costs and related soft costs, including but not limited to acquisition, demolition, assessment, planning, design, and oversight, and associated administrative costs; and

WHEREAS, Ordinance No. 125-2019, passed April 24, 2019, ordained new Chapter 315 of the Cincinnati Municipal Code creating a short term rental registry and a short term rental excise tax, the revenues from which were to be deposited into the Affordable Housing Trust Fund; and

WHEREAS, Ordinance No. 206-2019, passed June 19, 2019, amended Cincinnati Municipal Code Section 315-27 to provide that short term rental excise tax revenues are to be deposited into Fund 050 for General Fund operating activities and the short term rental excise tax revenue estimated to be collected in the following fiscal year shall establish the minimum amount appropriated in the annual budget for the following fiscal year to capital improvement projects for the preservation and development of affordable housing in the City of Cincinnati; and

WHEREAS, Ordinance No. 220-2019, also passed June 19, 2019, established a new capital improvement program project account no. 980x162x201644, "Affordable Housing," for the purpose of providing resources for the preservation and development of affordable housing in the City of Cincinnati; and

WHEREAS, Ordinance No. 192-2020, passed June 24, 2020, established a new capital improvement program project account no. 980x162x211644, "Affordable Housing," for the purpose of providing resources for the preservation and development of affordable housing in the City of Cincinnati; and

WHEREAS, at the discretion of City Council, additional funds may be appropriated to the Affordable Housing Trust Fund by separate ordinance; and

WHEREAS, City Council desires to designate the Housing Advisory Board to establish affordable housing policy priorities of the City, including the Affordable Housing Trust Fund and related capital improvement project program accounts, and to advise the Affordable Housing Loan Pool Administrator of those priorities; now, therefore,

BE IT ORDAINED by the Council of the City of Cincinnati, State of Ohio:

Section 1. That the Council of the City of Cincinnati hereby designates the Housing Advisory Board pursuant to Chapter 209 of the Cincinnati Municipal Code to (i) establish the City's affordable housing policy priorities, including with respect to the City's Affordable Housing

Trust Fund and related capital improvement program project accounts, as contemplated in Section 2 of Ordinance No. 364-2018, passed by City Council on December 12, 2018, and (ii) communicate such affordable housing priorities to the third-party administrator of the City's affordable housing loan pool program.

Section 2. That Section 209-7 of the Cincinnati Municipal Code is hereby amended as follows:

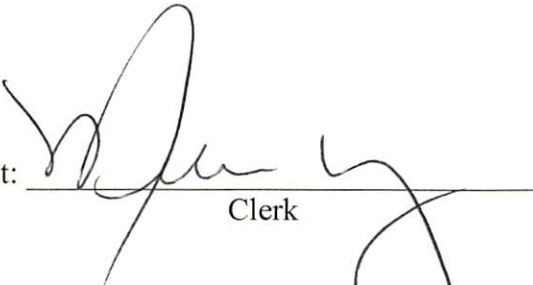
**Section 209-7. – Duties and Responsibilities.**


The Cincinnati Housing Advisory Board shall perform all the duties and responsibilities of a housing advisory board as set forth in the Ohio Revised Code, including, without limitation, (i) establishing the affordable housing policy priorities of the City of Cincinnati, and (ii) to advise the city manager on the allocation of federal, state and local resources for affordable housing development, including, without limitation, the City's Affordable Housing Trust Fund and related capital improvement program project accounts.

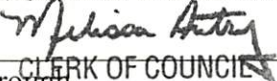
Section 3. That the proper City officials are authorized to do all things necessary and proper to carry out the terms of Sections 1 and 2 hereof.

Section 4. That this ordinance shall be an emergency measure necessary for the preservation of the public peace, health, safety, and general welfare and shall, subject to the terms of Article II, Section 6 of the Charter, be effective immediately. The reason for the emergency is the immediate necessity to operationalize the Affordable Housing Trust Fund so that its funds are deployed at the earliest possible time.

Passed: April 14, 2021

Attest:   
Clerk

  
John Cranley, Mayor

I HEREBY CERTIFY THAT ORDINANCE NO. 121-2021  
WAS PUBLISHED IN THE CITY BULLETIN  
IN ACCORDANCE WITH THE CHARTER ON 4-27-2021  
  
CLERK OF COUNCIL

New language underscored. Deleted language indicated by strikethrough.